## RECEIVED CENTRAL FAX CENTER AUG 1 3 2009

## LATHROP & GAGE LLP 4845 Pearl East Circle, Suite 201

Boulder, CO 80301 (720) 931-3000, Fax (720) 931-3001

Direct Dial Number:

2345 Grand Boulevard, Suite 2200 Kansas City, MO 64108-2618 (816) 292-2000, Fax (816) 292-2001

10851 Mastin Blvd. Building 82, Sulte 1000 Overland Park, KS 66210-1669 (913) 451-5100, Fax (913) 451-0875

10 SOUTH BROADWAY, Sulte 1300 St. Louis, MO 63102-1708 (314) 613-2500, Fax (314) 613-2550 230 Park Avanue Sulte 1847 New York, NY 10169 (212) 850-6220, Fax (212) 850-6221

370 17th Street Suite 4650 Denver, CO 80202-5607 (720) 931-3200, Fax (720) 931-3201

Plerre Lactede Center 7701 Forsyth Boulevard, Suite 400 Ctayton, MO 63105 (314) 613-2800, Fax (314) 613-2801

August 13, 2009

www.lathropgage.com

314 East High Street Jefferson City, MO 65101 (573) 893-4336, Fax (573) 893-5398

1845 S. National Springfield, MO 65808-4288 (417) 886-2000, Fax (417) 886-9126

1888 Century Park East, Suite 1000 Los Angeles, CA 90067-1623 (310) 789-4600, Fax (310) 789-4601

From: Dan Cleveland, Jr.

Matter No.: 392902

То:	Company:	Fax Number:	Phone Number:
United States Patent and Trademark Office		571-273-8300	
Board of Patent Appeals and Interferences		571-273-0299	

Number of Pages Transmitted (including this cover sheet): 3

Message:

Re: Appeal No.: 2009-004508

If you have a problem receiving this facsimile, please call: (303) 449-5800

Fax Attendant:

## CONFIDENTIALITY NOTE;

The Information in this facsimile message ("fax") is sent by an attorney or his/her agent, is intended to be confidential and for the use of only the individual or entity named above. The information may be protected by attorney/client privilege, work product immunity or other legal rules. If the reader of this message is not the intended recipient, you are notified that retention, distribution or copying of this fax is strictly prohibited. If you receive this fax in error, please notify us immediately by telephone and return it to the address above. Thank you.